

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-115-C

IN RE:)
)
Petition of the Office of Regulatory Staff)
for Adoption of FCC Mandated Changes) **PETITION TO INTERVENE**
to Lifeline and Link Up and for)
Expedited Relief)

Petitioner Assurance Wireless of South Carolina, LLC (“Assurance Wireless” or “Petitioner”), by its undersigned attorneys, hereby petitions the South Carolina Public Service Commission (the “Commission”), pursuant to Rule 103-825 of the Commission’s Rules, for an order allowing Assurance Wireless to intervene in the above Docket, with full rights to participate as a party of record. In support of its petition, Assurance Wireless would show the Commission the following:

1. On February 6, 2012, the FCC issued an order modifying 47 C.F.R. § 54.101. of the FCC's rules concerning Lifeline and Link Up service. See In the Matter of Lifeline and Link Up Reform and Modernization, FCC 12-11 (rel. Feb. 6, 2012) ("Lifeline Reform Order").
2. In light of the FCC's Lifeline Reform Order, on March 19, 2012, the Office of Regulatory Staff brought a petition in the above captioned docket requesting 1) guidance from the Commission as to whether \$3.50 in state Lifeline support should continue to be provided, 2)

adoption of new consumer eligibility criteria, and 3) a requirement for ETCs that have tariffs, guidebooks or pricelists to modify them by April 2, 2012.

3. On March 28, 2012, the Commission issued its directive ordering all Eligible Telecommunications Carriers (“ETCs”) to use the FCC mandated requirements for determining Lifeline eligibility and to utilize gross household income of no higher than 135% of Federal Poverty Guidelines as an eligibility requirement. The directive also ordered all ETCs that maintain tariffs that are subject to the Commission’s jurisdiction to make tariff filings reflecting elimination of Linkup and the other mandated eligibility requirements by April 2, 2012. Furthermore, the directive stated that all ETCs that maintain guidebooks or price lists comply with the Lifeline Reform Order by April 2, 2012.

4. Petitioner was designated as an ETC on January 26, 2011 in Commission Docket No. 2010-91-C through Order No. 2011-76. Petitioner has a direct interest in any order or regulation which the Commission may issue regarding the provision of Lifeline service in South Carolina and the state's regulation of Eligible Telecommunications Carriers.

5. Petitioner’s authorized representative in this proceeding is:

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6. Assurance Wireless asserts that the granting of its Petition to Intervene will not in any way delay the proceedings in this Docket. Moreover, counsel for Assurance Wireless has

discussed the Petitioner's intervention with counsel for the South Carolina Office of Regulatory Staff, and the ORS has indicated that it does not object to Assurance Wireless' participation.

WHEREFORE, Assurance Wireless prays for the Commission to:

- a. Grant this Petition to Intervene and make Petitioner a party of record in Docket No. 2012-115-C, allowing Petitioner to participate fully and take such positions as it deems advisable; and
- b. Grant such other relief as the Commission deems just and proper.

Respectfully submitted,

ELLIS, LAWHORNE & SIMS, P.A.

BY: s / John J. Pringle, Jr.
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Carolina, LLC

April 2, 2012
Columbia, South Carolina

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2012-115-C

IN RE:)	
)	
Petition of the Office of Regulatory)	CERTIFICATE OF SERVICE
Staff for Adoption of FCC Mandated)	
Changes to Lifeline and Link Up and for)	
Expedited Relief)	

This is to certify that I have caused to be served this day, the **Petition to Intervene** filed by Assurance Wireless South Carolina, LLC by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

VIA FIRST CLASS AND ELECTRONIC MAIL SERVICE

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s/ Carol Roof
Carol Roof
Paralegal

April 2, 2012
Columbia, South Carolina